



City Council Chambers
3300 Capitol Avenue
Fremont, California

City Council

Bob Wasserman, Mayor
Anu Natarajan, Vice Mayor
Bob Wieckowski
Bill Harrison
Suzanne Lee Chan

City Staff

Fred Diaz, City Manager
Harvey E. Levine, City Attorney
Melissa Stevenson Dile, Deputy City Manager

Dawn G. Abrahamson, City Clerk
Harriet Commons, Finance Director
Marilyn Crane, Information Technology Svcs. Dir.
Daren Fields, Economic Dev. Director
Annabell Holland, Parks & Recreation Dir.
Norm Hughes, City Engineer
Jill Keimach, Community Dev. Director
Bruce Martin, Fire Chief
Jim Pierson, Transportation & Ops Director
Michael Rich, Human Resources Director
Jeff Schwob, Planning Director
Suzanne Shenfil, Human Services Director
Craig Steckler, Chief of Police
Elisa Tierney, Redevelopment Director

City Council Agenda and Report [Redevelopment Agency of Fremont]

General Order of Business

1. Preliminary
 - Call to Order
 - Salute to the Flag
 - Roll Call
2. Consent Calendar
3. Ceremonial Items
4. Public Communications
5. Scheduled Items
 - Public Hearings
 - Appeals
 - Reports from Commissions, Boards and Committees
6. Report from City Attorney
7. Other Business
8. Council Communications
9. Adjournment

Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested citizens, may then speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken. Items on the agenda may be moved from the order listed.

Consent Calendar

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address the City Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.



Addressing the Council

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address and the number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker card). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said.

Oral Communications

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Oral Communications section of Public Communications. Please submit your speaker card to the City Clerk prior to the commencement of Oral Communications. **Only those who have submitted cards prior to the beginning of Oral Communications will be permitted to speak.** Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker card) and each speaker may only speak once on each agenda item.

To leave a voice message for all Councilmembers and the Mayor simultaneously, dial 284-4080.

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Information

Copies of the Agenda and Report are available in the lobbies of the Fremont City Hall, 3300 Capitol Avenue and the Development Services Center, 39550 Liberty Street, on Friday preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items are available at the Office of the City Clerk.

The regular meetings of the Fremont City Council are broadcast on Cable Television Channel 27 and can be seen via webcast on our website (www.Fremont.gov).

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (510) 284-4060. Council meetings are *open captioned* for the deaf in the Council Chambers and *closed captioned* for home viewing.

Availability of Public Records

All disclosable public records relating to an open session item on this agenda that are distributed by the City to all or a majority of the City Council less than 72 hours prior to the meeting will be available for public inspection in specifically labeled binders located in the lobby of Fremont City Hall, 3300 Capitol Avenue during normal business hours, at the time the records are distributed to the City Council.

Information about the City or items scheduled on the Agenda and Report may be referred to:

Address: City Clerk
City of Fremont
3300 Capitol Avenue, Bldg. A
Fremont, California 94538
Telephone: (510) 284-4060

Your interest in the conduct of your City's business is appreciated.

AGENDA
FREMONT CITY COUNCIL REGULAR MEETING
SEPTEMBER 1, 2009
COUNCIL CHAMBERS, 3300 CAPITOL AVE., BUILDING A
7:00 P.M.

1. PRELIMINARY

- 1.1 Call to Order
- 1.2 Salute the Flag
- 1.3 Roll Call
- 1.4 Announcements by Mayor / City Manager

2. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.

- 2.1 *Motion to Waive Further Reading of Proposed Ordinances
(This permits reading the title only in lieu of reciting the entire text.)*
- 2.2 *Approval of Minutes – for the Regular Meeting and Work Sessions of May 4, 2009 and May 19, 2009*
- 2.3 *ALAMEDA COUNTY BEHAVIORAL HEALTH CARE SERVICES CONTRACT FOR MENTAL HEALTH SERVICES AT THE FRC
Authorization for the City Manager to Execute an Agreement for FY 2009/10 with Alameda County for Mental Health Services at the Fremont Family Resource Center*

Contact Person:

<i>Name:</i>	<i>Judy Schwartz</i>	<i>Suzanne Shenfil</i>
<i>Title:</i>	<i>FRC Administrator</i>	<i>Director</i>
<i>Dept.:</i>	<i>Human Services</i>	<i>Human Services</i>
<i>Phone:</i>	<i>510-574-2007</i>	<i>510-574- 2051</i>
<i>E-Mail:</i>	<i>jschwartz@fremont.gov</i>	<i>sshenfil@fremont.gov</i>

RECOMMENDATION: Authorize the City Manager or designee to execute the FY 2009/10 Agreement with Alameda County in the amount of \$234,076 for the FST

project at the Fremont Family Resource Center; and appropriate \$42,467 to Fund 172 the Alameda County Behavioral Health Care Fund.

2.4 SENIOR MOBILE MENTAL HEALTH TEAM CONTRACT

Approval of FY 2009/ 10 Renewal Contract with Alameda County Behavioral Health Care Services for the Mobile Integrated Assessment and Treatment Team for Seniors

Contact Person:

Name:	<i>Karen Grimsich</i>	<i>Suzanne Shenfil</i>
Title:	<i>AFS Administrator</i>	<i>Director</i>
Dept.:	<i>Human Services</i>	<i>Human Services</i>
Phone:	<i>510-574-2062</i>	<i>510-574-2056</i>
E-Mail:	<i>kgrimsich@fremont.gov</i>	<i>sshenfil@fremont.gov</i>

RECOMMENDATION:

- 1. Authorize the City Manager or designee to execute an agreement in the amount of \$555,169 with Alameda County Behavioral Health Care Services for the Mobile Integrated Assessment and Treatment Team for Seniors for the period of July 1, 2009 through June 30, 2010.*
- 2. Appropriate an additional \$132,370 to Fund 104, the Senior Mobile Mental Health Fund.*

2.5 HOMELESS PREVENTION AND RAPID REHOUSING PROGRAM

Approval of the Homeless Prevention and Rapid Re-housing Program, Authorization for the City Manager to Enter Into Agreements and Appropriation of Funding

Contact Person:

Name:	<i>Lucia Hughes</i>	<i>Suzanne Shenfil</i>
Title:	<i>Management Analyst II</i>	<i>Director</i>
Dept.:	<i>Human Services</i>	<i>Human Services</i>
Phone:	<i>510-574-2043</i>	<i>510-574-2051</i>
E-Mail:	<i>lhughes@fremont.gov</i>	<i>sshenfil@fremont.gov</i>

RECOMMENDATION:

- 1. Authorize the City Manager or designee to enter into agreements with the entities and respective amounts as stated in Table 1 and Table 2 of this staff report.*
- 2. Appropriate a total of \$1,035,819 HPRP funding to the ARRA Fund 194.*

2.6 PROFESSIONAL ENGINEERS & TECHNICIANS ASSOCIATION MOU

Consideration of a Resolution Approving a New Memorandum of Understanding (2009-2011) with the Professional Engineers and Technicians Association (PETA)

Contact Person:

Name:	<i>Michael K. Rich</i>	<i>Melissa Stevenson Dile</i>
Title:	<i>Director</i>	<i>Deputy City Manager</i>
Dept.:	<i>Human Resources Director</i>	<i>City Manager's Office</i>
Phone:	<i>510-494-4664</i>	<i>510-284-4005</i>
E-Mail:	<i>mrich@fremont.gov</i>	<i>mdile@fremont.gov</i>

RECOMMENDATION: Adopt a resolution approving a two-year Memorandum of Understanding (MOU) between the City and the Professional Engineers and Technicians Association that commences July 1, 2009 and expires June 30, 2011, and provides for the benefits outlined above, and authorize the City Manager or designee to execute and implement the terms and conditions of the MOU.

2.7 AUTHORIZE THE USE OF A REQUEST FOR PROPOSALS FOR A FLEET MAINTENANCE PARTS AND SERVICES CONTRACT

Authorize the Use of the Request for Proposals Procurement Method for a Contract that Will Provide Fleet Maintenance Parts and Services

Contact Person:

<i>Name:</i>	<i>Karena Shackelford</i>	<i>Frank Morgan</i>
<i>Title:</i>	<i>Business Manager</i>	<i>Deputy Director of Maintenance Services</i>
<i>Dept.:</i>	<i>Transportation & Operations</i>	<i>Transportation & Operations</i>
<i>Phone:</i>	<i>510-979-5702</i>	<i>510-979-5701</i>
<i>E-Mail:</i>	<i>KShackelford@fremont.gov</i>	<i>FMorgan@fremont.gov</i>

RECOMMENDATION: Authorize the use of the Request for Proposals procurement method for a contract that will provide both goods and services for an On-Site Fleet Parts and Inventory Program.

2.8 WARM SPRINGS BART EXTENSION AGREEMENT

Approval of a Comprehensive Agreement with BART Covering the Construction and Operation of the Warm Springs BART Extension

Contact Person:

<i>Name:</i>	<i>Jim Pierson</i>
<i>Title:</i>	<i>Director</i>
<i>Dept.:</i>	<i>Transportation & Operations</i>
<i>Phone:</i>	<i>510-494-4722</i>
<i>E-Mail:</i>	<i>jpierson@fremont.gov</i>

RECOMMENDATION: Staff recommends the Council:

- 1. Authorize the City Manager or his designee to execute a Comprehensive Agreement with the San Francisco Bay Area Rapid Transit District relating to the Warm Springs BART Extension Project as described herein; and approve amendments to the Agreement, if required, provided the amendments do not have a negative fiscal impact upon the City;*
- 2. Authorize the City's Real Property Manager to issue a no-cost Property Entry Agreement to BART and the Alameda County Resource Conservation District/Natural Resource Conservation Services (ACRCD/NCRS) to construct and maintain riparian habitat improvements along Sabercat Creek as described in this report and as required in BART's permit from the California Department of Fish and Game; and,*

3. *Appropriate \$88,000 from unallocated Fund 533 Park Facilities Impact Fees to PWC 8147 as the City's share of the new fire hydrant at the Central Park tennis courts parking lot.*

3. CEREMONIAL ITEMS – None.

4. PUBLIC COMMUNICATIONS

4.1 Oral and Written Communications

REDEVELOPMENT AGENCY – None.

PUBLIC FINANCING AUTHORITY – None.

CONSIDERATION OF ITEMS REMOVED FROM CONSENT CALENDAR

5. SCHEDULED ITEMS

- 5.1 APPEAL OF SITE PLAN AND ARCHITECTURAL APPROVAL FOR THE WANG RESIDENCE 2nd-STORY ADDITION – 94 MADRID PLACE
Public Hearing (Published Notice) to Consider an Appeal of a Planning Commission Finding for Site Plan and Architectural Approval of a 1,247 Square Foot Second-Story Addition to an Existing Single-Story Home in the Mission San Jose Planning Area (PLN2009-00225)

Contact Person:

Name:	Steve Kowalski	Jeff Schwob
Title:	Associate Planner	Planning Director
Dept.:	Community Development	Community Development
Phone:	510-494-4532	510-494-4527
E-Mail:	skowalski@fremont.gov	jschwob@fremont.gov

RECOMMENDATION:

1. Hold public hearing;
2. Find that the project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guideline 15301 which exempts projects involving minor additions to existing structures; and
3. Deny the appeal and approve the project based on the findings and subject to the conditions of approval contained in Exhibit "B".

6. REPORT FROM CITY ATTORNEY

6.1 Report Out from Closed Session of Any Final Action

7. OTHER BUSINESS

7.1 STATE BUDGET UPDATE

Status Report on the State Budget and Participation in the California Statewide Communities Development Authority Property Tax Receivable Securitization Program

Contact Person:

Name:	Catherine Chevalier	Harriet Commons
Title:	Budget Manager	Director
Dept.:	Finance	Finance
Phone:	510-494-4615	510-284-4010
E-Mail:	cchevalier@fremont.gov	hcommons@fremont.gov

RECOMMENDATION:

1. Receive status report.
2. Direct staff to analyze information about the CSCDA property tax receivable securitization program as it becomes available and proceed with participation in the program, should such participation be deemed to be beneficial to the City.

8. COUNCIL COMMUNICATIONS

8.1 Council Referrals

8.1.1 MAYOR WASSERMAN REFERRAL: Appointments to the Youth Advisory Commission with terms expiring as follows:

Appointment:

Advisory Body

Youth Advisory Commission

Appointee

Alankrita Dayal
(Hopkins Junior High)

Term Expires

12/31/2010

Neha Pal
(Mission San Jose District Rep.)

12/31/2010

Sloka Gundala
(Mission San Jose District Rep.)

12/31/2009

8.2 Oral Reports on Meetings and Events

- 8.2.1 City Manager and Mayor Wasserman to provide an update on efforts to keep the New United Motors Manufacturing, Inc. (NUMMI) auto plant open in Fremont.

9. ADJOURNMENT



REPORT SECTION
FREMONT CITY COUNCIL
REGULAR MEETING

SEPTEMBER 1, 2009

***2.3 ALAMEDA COUNTY BEHAVIORAL HEALTH CARE SERVICES CONTRACT FOR MENTAL HEALTH SERVICES AT THE FRC**

Authorization for the City Manager to Execute an Agreement for FY 2009/10 with Alameda County for Mental Health Services at the Fremont Family Resource Center

Contact Person:

Name:	Judy Schwartz	Suzanne Shenfil
Title:	FRC Administrator	Director
Dept.:	Human Services	Human Services
Phone:	510-574-2007	510-574- 2051
E-Mail:	jschwartz@fremont.gov	sshenfil@fremont.gov

Executive Summary: Since 2001, the City has received funding from Alameda County Behavioral Health Care Services (ACBHCS) for a mental health professional to serve on a multi-disciplinary Family Service Team (FST) at the Fremont Family Resource Center (FRC). Alameda County is renewing its agreement with the City in FY 2009/10 in the amount of \$234,076. In anticipation of this funding, the City Council appropriated \$191,609 as part of the FY 2009/10 Adopted Budget. Staff recommends that the City Council appropriate an additional \$42,467 to match the actual contract amount. Staff also recommends the City Council authorize the City Manager or designee to execute the FY 2009/10 renewal agreement with ACBHCS.

BACKGROUND: The Fremont Family Resource Center (FRC) is an innovative collaborative effort of 27 State, County, City and non-profit social service agencies. In 2001, as part of its ongoing effort to integrate services of multiple agencies for the benefit of clients, the FRC collaborated with Alameda County to form a multi-disciplinary and multi-agency Family Service Team (FST) for clients with multiple issues who are receiving public assistance.

DISCUSSION/ANALYSIS: The mission of the Fremont Family Resource Center FST is to ensure the provision of appropriate health, educational, substance abuse, behavior health, social and other services to CalWORKS participants and their families through an integrated and coordinated system of care management and information sharing. This support is given to assist the client in navigating and eventually exiting from the CalWORKS system. The goal of the program is to improve family relationships and increase family coping skills for dealing with problems that may be interfering with the ability of the family to remove barriers to employment. In FY 2009/10, the FRC will provide 500 hours of assessment, 700 hours of counseling and 190 hours of case management services to CalWORKS clients working with the FST. In FY 2009/10, the County will provide \$234,076 in Mental Health Services funding for program costs, including a full-time mental health professional, clinical supervision and clerical support.

FISCAL IMPACT: In anticipation of this contract, the City Council appropriated \$191,609 as part of the FY 2009/10 Adopted Budget. The City has now received a contract of \$234,076 from ACBHCS for the FY 2009/10 program. Staff is recommending the City Council appropriate an additional \$42,467 to match the actual contract amount. Funding under this contract offsets the costs of a full-time mental health professional, clinical supervision and clerical support.

ENCLOSURE: None

RECOMMENDATION: Authorize the City Manager or designee to execute the FY 2009/10 Agreement with Alameda County in the amount of \$234,076 for the FST project at the Fremont Family Resource Center; and appropriate \$42,467 to Fund 172 the Alameda County Behavioral Health Care Fund.

***2.4 SENIOR MOBILE MENTAL HEALTH TEAM CONTRACT**

Approval of FY 2009/ 10 Renewal Contract with Alameda County Behavioral Health Care Services for the Mobile Integrated Assessment and Treatment Team for Seniors

Contact Person:

Name:	Karen Grimsich	Suzanne Shenfil
Title:	AFS Administrator	Director
Dept.:	Human Services	Human Services
Phone:	510-574-2062	510-574-2056
E-Mail:	kgrimsich@fremont.gov	sshenfil@fremont.gov

Executive Summary: The purpose of this report is to recommend that the City Council authorize the City Manager or designee to execute a renewal agreement with Alameda County Behavioral Health Care Services to provide mobile mental health services for seniors in southern Alameda County, in the amount of \$555,169. In anticipation of this funding, the City Council appropriated \$422,799 as part of the FY 2009/10 Adopted Budget. Staff is recommending that the City Council appropriate an additional \$132,370 to match the actual contract amount.

BACKGROUND: In November 2004, California voters passed Proposition 63, the Mental Health Services Act (MHSA), which has been designed to expand and transform California's county mental health service system. MHSA provides supplemental funding for mental health services by imposing an additional 1% tax on individual taxable incomes of \$1 million or more. The California Department of Mental Health (CDMH) contracts with Alameda County Behavioral Health Care Services (ACBHCS) to develop and implement MHSA funded programs. ACBHCS contracts with the City of Fremont to provide a Mobile Integrated Assessment and Treatment Team for Seniors (Mobile Mental Health Team) in southern Alameda County.

DISCUSSION/ANALYSIS: The goal of the Mobile Mental Health Team is to improve the mental health of 55 seniors per year who are 60 years and older with serious mental illness who are 1) isolated and therefore unable to access clinical services and 2) unable to manage independence due to physical/mental disabilities. These seniors are often at risk of institutionalization, nursing home care, hospitalization, repeated 911 calls, and emergency room visits.

The multi-disciplinary team consists of a part-time psychiatrist, a part-time physician assistant, a full-time licensed counselor and a full-time clinical supervisor. The clinical supervisor is the project manager. The team is supported by a full time administrative assistant.

The team visits isolated seniors in their own homes to diagnose their mental status and assess their need for mental health services. The team works with the senior, and where possible the family, to develop a treatment plan that may include prescribing and monitoring psychotropic medications, providing individual counseling, and referring seniors to other resources as needed. Referrals may be made to other services such as the City's senior case management program, Adult Protective Services, home delivered meals and inpatient hospitalization.

Medical staff is covered by the California State Association of Counties (CSAC) medical malpractice pool, which is comprised of numerous cities and counties within California. The program provides medical malpractice, general liability, and blanket contract health professional coverage. The City's insurance costs are included in the program operating budget.

FISCAL IMPACT: In anticipation of this funding, the City Council appropriated \$422,799 as part of the FY 2009/10 Adopted Budget. The City has now received a contract of \$555,169 from ACBHCS for the FY 2009/10 program. The source of the additional funds is unspent funds from previous contract years. Staff is recommending the City Council appropriate an additional \$132,370 to match the actual contract amount. The contract covers 100% of program costs and administrative overhead, as well as additional funds to support one-time-only expenses associated with computer software upgrades and infrastructure support.

ENCLOSURE: None

RECOMMENDATION:

1. Authorize the City Manager or designee to execute an agreement in the amount of \$555,169 with Alameda County Behavioral Health Care Services for the Mobile Integrated Assessment and Treatment Team for Seniors for the period of July 1, 2009 through June 30, 2010.
2. Appropriate an additional \$132,370 to Fund 104, the Senior Mobile Mental Health Fund.

***2.5 HOMELESS PREVENTION AND RAPID REHOUSING PROGRAM**

Approval of the Homeless Prevention and Rapid Re-housing Program, Authorization for the City Manager to Enter Into Agreements and Appropriation of Funding

Contact Person:

Name:	Lucia Hughes	Suzanne Shenfil
Title:	Management Analyst II	Director
Dept.:	Human Services	Human Services
Phone:	510-574-2043	510-574-2051
E-Mail:	lhughes@fremont.gov	sshenfil@fremont.gov

Executive Summary: As part of the American Recovery and Reinvestment Act (ARRA), and in partnership with Alameda County and other local jurisdictions, the City has received funding to implement a Homeless Prevention and Rapid Re-housing Program (HPRP) in southern Alameda County. Staff is recommending the City Council take the following actions to implement the program:

- Appropriate \$682,331 to the ARRA Fund 194 based on an HPRP Agreement between the U.S. Department of Housing and Urban Development (HUD) and the City which was approved by the City Council on May 12, 2009.
- Authorize the City Manager to enter into an agreement with the Alameda County Community Development Agency (ACCD) in the amount of \$103,488, for the City to provide HPRP services to City of Newark residents; and appropriate this funding to the ARRA Fund 194.
- Authorize the City Manager to enter into an agreement with Alameda County Social Service Agency (ACSSA) in the amount of up to \$250,000, for the City to provide eligible CalWORKS recipients with up to 4 months of Temporary Assistance for Needy Families (TANF) Emergency Contingency Funds for Non-Recurrent, Short Term Benefits; and appropriate this funding to the ARRA Fund 194. This CalWORKS funding will be leveraged with HPRP funding.
- Authorize the City Manager to enter into a sub-recipient agreement with ACCD in the amount of \$53,242, for ACCD to provide 211 housing needs screening and referral services, Homelessness Management and Information System (HMIS) data management, outreach, and marketing services through EveryOne Home.
- Authorize the City Manager to enter into a sub-recipient agreement with Abode Services in the amount of \$294,000 over three years, for Abode Services to provide rapid re-housing services to Fremont and Newark residents.

BACKGROUND: As part of the American Recovery and Reinvestment Act (ARRA), significant dollars are being directed to states, local governments and non-profit organizations for the Homeless Prevention and Rapid Re-Housing (HPRP) program. This program is designed to provide financial assistance and services to prevent individuals and families from becoming homeless and help those who are experiencing homelessness to be quickly re-housed and stabilized. The funds under this program are intended to target individuals and families who would be homeless if not for this assistance. HPRP

funding is to be spent within three years. Sixty percent of the funds must be spent within the first two years of the program. Funds may not be used for mortgage assistance.

County-wide HPRP Program: In Alameda County, with the leadership of EveryOne Home, a non-profit organization that coordinates efforts to end homelessness, the cities and county have been working together to develop a consistent and coordinated service delivery system that is customer friendly as well as effective and efficient. The system includes the creation of six regional housing resource centers (HRCs) that will provide a variety of prevention and re-housing services, linked through a county-wide referral, assessment and outcome tracking system. The FRC has been designated as the regional HRC for the Tri-City area of Fremont, Newark and Union City. With its 27 partner organizations, and a strong family case management program, the FRC is the logical entity to become the Tri-City HRC.

Program Design: FRC case managers will assess all clients for HPRP eligibility and assistance. The FRC will primarily focus on homeless prevention by offering services to those individuals and families who are currently in housing but are at risk of becoming homeless and need temporary rent or utility assistance to prevent them from becoming homeless or assistance to move to another unit. Staff recommends that the City contract with Abode Services for the majority of rapid re-housing services for individuals and families who are experiencing homelessness. These households may be residing in emergency or transitional shelters or on the street and need temporary assistance in order to obtain housing and retain it. The FRC HRC may provide some rapid re-housing to HPRP eligible homeless clients who already have a supportive relationship established with FRC case managers. It is anticipated that all services would be available on October 1, 2009.

DISCUSSION/ANALYSIS: Staff proposes to pool HPRP funding from multiple jurisdictions. Fremont, an HPRP “entitlement” city, received a direct HPRP allocation from HUD in the amount of \$682,331. The City Council approved an agreement for these HPRP funds on May 12, 2009. As a smaller jurisdiction, Newark will receive an allocation of \$103,488 as part of the Urban County, which is administered by Alameda County Community Development Agency (ACCDA). ACCDA proposes to contract with the City of Fremont for this amount to provide HPRP assistance for Newark residents at the FRC HRC. Union City, along with the cities of Livermore, Pleasanton, Dublin and San Leandro, has submitted a competitive application to the State of California directly to receive a share of HPRP funding. EveryOne Home and the Fremont Human Services Department worked with Union City in the preparation of its application to the State for \$500,000. If successful in receiving these funds, Union City proposes to contract with the FRC non-profit in the amount of \$260,000 for assessment and homeless prevention services for Union City residents. The FRC non-profit was utilized as the vehicle to receive these funds because it best fit with State funding guidelines. Union City would also contract with Abode Services for \$165,000 for Rapid Re-housing and support services.

Staff also proposes the City enter into an agreement with the Alameda County Social Service Agency (ACSSA) in the amount of \$250,000 to become a test site in the county for the utilization of TANF Emergency Contingency Funds for Non-Recurrent, Short Term Benefits, which will be coordinated and leveraged with HPRP funding. FRC case managers will work directly with ACSSA staff and will be trained and authorized to have access to the County’s CalWIN data base system. Because TANF funding must be utilized prior to September 2010, these funds will be used first to assist eligible CalWORKS families. TANF funds mirror HPRP in how they may be used, but may only support a family for up to four months, while HPRP assistance may last for a total of 18 months.

Use of Funds: Staff proposes the City enter into a three-year agreement for up to \$53,242 with Alameda County Community Development Agency (ACCD A) for the County to provide a county-wide 211 system for screening and assigning households to the FRC HRC. ACCDA will also modify and oversee the Homeless Management and Information System (HMIS), a database system that will be used by all HPRP jurisdictions and providers to collect data and evaluate outcomes. This system is mandated by HUD. ACCDA will also use funding to assist EveryOne Home to conduct a county-wide outreach and marketing campaign of HPRP services and develop a standardized client screening assessment tool. Each jurisdiction is being asked to contribute a proportionate share of funding, based on each jurisdiction's overall funding allocation, for these coordinated countywide services. The City's share represents approximately 8% of its entitlement.

Staff also recommends the City contract with Abode Services in the total amount of \$294,000 to provide rapid re-housing services to residents of Fremont, and Newark. Abode staff will work closely with the FRC staff to ensure coordinated service delivery.

The City will directly administer the use of \$438,577 in HPRP funds for direct homeless prevention financial assistance, case management services, and administrative costs, as well as the \$250,000 in TANF financial assistance funds. Together, these contractual arrangements and partnerships will provide as much as \$1,035,819 for financial assistance and services to prevent individuals and families from becoming homeless and help those who are experiencing homelessness to be quickly re-housed and stabilized.

In order to implement the HPRP service delivery system described above, staff recommends the City Council authorize the City Manager to enter into the revenue agreements shown in Table 1 and appropriate a total of \$1,035,819 to the ARRA Fund 194.

Table 1: HPRP Revenue Agreements and Fund 194 Appropriations

Revenue Source	Purpose	Total
HUD/ARRA Entitlement - HPRP Contract	City to provide HPRP services in Fremont.	\$682,331
ACCD A/Urban County – Newark Contract	City to provide homeless prevention services to Newark residents. \$48,000 of this amount will be subcontracted to Abode Services to provide rapid re-housing services to Newark residents.	\$103,488
ACSSA – TANF Housing Assistance Contract	City to administer up to \$250,000 available for CalWORKS recipients eligible for up to four months of homelessness prevention assistance.	\$250,000
	Total Appropriation Request to Fund 194:	\$1,035,819

Staff also recommends the City Council authorize the City Manager to enter into the sub-recipient agreements shown in Table 2.

Table 2: HPRP Sub-recipient Agreements

Contracts/Use of Funds	Purpose	Amount
Contract with ACCDA	County to provide 211 information and referral, HMIS data management, and outreach and marketing services through EveryOne Home.	\$53,242
Contract with ABODE Services for Rapid Re-housing	Abode Services to provide Rapid Re-housing services to Fremont (\$246,000) and Newark (\$48,000) residents.	\$294,000
	Total :	\$347,242

FISCAL IMPACT: There is no match requirement for HPRP funding. Up to five percent of the total City's HPRP entitlement funding of \$682,331 may be used for the expenses of management and oversight of the program. It is anticipated that the program will spend approximately 35% of its funding during the first year, 40% during the second year, and 25% during the third year.

ENVIRONMENTAL REVIEW: The eligible activities to be assisted under HPRP are categorically excluded from the requirements of the National Environmental Policy Act of 1969 and are not subject to environmental review under related laws and authorities.

ENCLOSURE: [Exhibit 1: Homelessness Prevention and Rapid Re-housing Program Contractual Agreements for Services to the Tri-City Area.](#)

RECOMMENDATION:

1. Authorize the City Manager or designee to enter into agreements with the entities and respective amounts as stated in Table 1 and Table 2 of this staff report.
2. Appropriate a total of \$1,035,819 HPRP funding to the ARRA Fund 194.

***2.6 PROFESSIONAL ENGINEERS & TECHNICIANS ASSOCIATION MOU**
Consideration of a Resolution Approving a New Memorandum of Understanding (2009-2011) with the Professional Engineers and Technicians Association (PETA)

Contact Person:

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Executive Summary: In August 2009, the City completed negotiations with the Professional Engineers and Technicians Association (PETA) for a two-year agreement. This unit has 25 members and represents civilian professional engineers and technicians. The proposed MOU carries over most of the provisions of the existing MOU, with some changes: it maintains current salary levels with no Cost of Living Adjustment (COLA) during the two-year term and increases the City's contribution to the Health Benefit Allowance (HBA) for the unit effective in January 2010 and 2011, at five percent (5%) and ten percent (10%), respectively. In addition, the agreement replaces the Catastrophic Leave benefit with a restructured Long-Term Disability insurance benefit.

Primary Changes to Existing Memorandum of Understanding Provisions:

1. *No Cost of Living (COLA) Adjustments*
2. *Health Benefit Allowance (HBA):*
 - a. Effective January 1, 2010, the Health Benefit Allowance will increase from \$1,418 per month to \$1,489 per month.
 - b. Effective January 1, 2011, the Health Benefit Allowance will increase to \$1,638 per month.
3. *Restructured Long-Term Disability Insurance to Replace Catastrophic Leave.*

Bargaining unit employees currently have long-term disability insurance to cover absences exceeding 60 calendar days, with a City-paid pool of 350 hours per year available to bridge absences that exceed the accrued leave of an individual employee during the first 60 days. The pool leave will be phased out effective December 31, 2009, and replaced by employee-paid short term disability insurance that will cover the first six months of an absence; City-paid long term disability insurance would then cover any absence caused by disability longer than six months.
4. *Alignment of Benefits.*

The current menu of benefits available to employees varies considerably by bargaining unit. The negotiations have resulted in agreement to align the plan details for dental and long-term disability insurance, and for the City to administer benefits previously administered by benefit trusts. This will allow the City's insurance broker to achieve efficiencies and cost savings through larger purchasing pools and review of utilization data.

FISCAL IMPACT: The costs resulting from the recommended memorandum of understanding are relatively minor and, as such, can be absorbed in the Operating Budget adopted by the Council on June 9, 2009. The provisions of the recommended memorandum of understanding are consistent with the City's sustainable budget strategy, which relies on the use of one-time resources, reduced operating expenditures, and strategic investments of City resources in order to balance the City's budget.

ENCLOSURES: [Draft Resolution](#)

RECOMMENDATION: Adopt a resolution approving a two-year Memorandum of Understanding (MOU) between the City and the Professional Engineers and Technicians Association that commences July 1, 2009 and expires June 30, 2011, and provides for the benefits outlined above, and authorize the City Manager or designee to execute and implement the terms and conditions of the MOU.

***2.7 AUTHORIZE THE USE OF A REQUEST FOR PROPOSALS FOR A FLEET MAINTENANCE PARTS AND SERVICES CONTRACT**
Authorize the Use of the Request for Proposals Procurement Method for a Contract that Will Provide Fleet Maintenance Parts and Services

Contact Person:

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Executive Summary: Fleet Maintenance staff has identified an opportunity to increase productivity and generate savings by implementing an On-Site Fleet Parts and Inventory Program. This type of program, which has been successfully used by other government agencies, would allow a vendor to establish a turn-key on-site fleet parts and inventory operation, complete with dedicated staff to procure, distribute and manage parts inventory exclusively for the City. This would allow fleet staff to focus on its core services of maintenance and repair, and would also allow for the reduction of a costly City-owned fleet parts inventory.

Staff believes the most advantageous way to contract for this type of program is through the use of a Request for Proposals (RFP) procurement process. The RFP procurement process would encourage competitive pricing and ensure that vendors are able to meet the City's program requirements. The City's Purchasing Ordinance currently does not contain a procedure for this type of procurement, which is for both goods and services. Therefore, staff is recommending that the City Council approve the use of the RFP procurement method for a contract that will provide goods and services for an On-Site Fleet Parts and Inventory Program.

BACKGROUND: The City's Fleet Maintenance Section is responsible for the acquisition, maintenance, repair, and disposition of approximately 600 vehicles and pieces of equipment that include fire engines, police vehicles, heavy equipment, and generators. Fleet Maintenance is also responsible for five fuel dispensing facilities throughout the City. The mission of Fleet Maintenance is to provide its customer departments with vehicles and equipment that meet their operational needs and are safe, reliable, and cost effective.

The current budget situation encouraged staff to conduct a critical review of the core services of Fleet Maintenance and evaluate how they are being delivered. This assessment revealed an opportunity to implement an On-Site Fleet Parts and Inventory Program that will enhance Fleet Maintenance's efficiency and also generate budget savings. Fleet Maintenance staff currently oversees all aspects of parts inventory management, from ordering to distribution. While this function is important, it is not Fleet Maintenance's primary line of business, which is maintenance and repair. An On-Site Fleet Parts and Inventory provider could perform this function more efficiently and allow City staff resources to be focused on customer service, maintenance and repair work, thereby increasing productivity and fleet availability so that essential City services can be conducted in a safe and timely manner.

An on-Site Fleet Parts and Inventory Program uses a single contractor to provide all the parts the City requires for its Fleet Maintenance Program. The contractor also provides an on-site parts distributor who is responsible for maintaining an appropriate inventory. By providing both the parts and the parts distribution, the contractor can provide these goods and services at a lower cost than if the City provided these directly. The primary benefits and components of an On-Site Fleet Parts and Inventory Program are as follows:

1. Turn-key management of all fleet parts and inventory customized to meet the City's needs.
2. The provision of a dedicated on-site fleet parts professional to facilitate the parts inventory management function.
3. The realization of reduced inventory costs because the provider owns the inventory and the City only purchases the parts when they are actually used on a vehicle.
4. Improved productivity due to the ability to reallocate City staff resources to focus solely on the core services of Fleet Maintenance.

DISCUSSION/ANALYSIS: The On-Site Fleet Parts and Inventory Program is a hybrid procurement of sorts, as it involves the procurement of both good and services. To implement such a program, a procurement method that allows for vendor evaluation based not only on price, but also on the demonstrated ability to perform in accordance with specific program requirements, is necessary. There is currently no procedure in the City's Purchasing Ordinance that references this type of procurement; however, staff believes that the use of the Request for Proposals (RFP) procurement method would be the optimal vehicle. Various amendments to the Purchasing Ordinance are in progress that will address this type of issue as well as others. However, in order for the City to begin realizing the immediate benefits of an On-Site Fleet Parts and Inventory Program, staff believes that establishing that an RFP procurement procedure for this contract is in the best economic and operationally efficient interest of the City.

ENCLOSURE: None

RECOMMENDATION: Authorize the use of the Request for Proposals procurement method for a contract that will provide both goods and services for an On-Site Fleet Parts and Inventory Program.

***2.8 WARM SPRINGS BART EXTENSION AGREEMENT**

Approval of a Comprehensive Agreement with BART Covering the Construction and Operation of the Warm Springs BART Extension

Contact Person:

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Executive Summary: The Warm Springs BART Extension (WSX) is fully funded and ready to start construction. The WSX construction will have significant impacts on key portions of the City's infrastructure. Most notably, the construction of the subway through Central Park will have major impacts on the Park even though all Park operations will remain open. There will also be impacts to various City streets and other City facilities. Construction of WSX will require very close coordination between BART and the City to ensure that community impacts are kept to a minimum during construction and the City's infrastructure is returned in an appropriate state of repair when the project is completed. To make sure these issues are properly identified and agreed upon in advance, City and BART staffs have prepared a "Comprehensive Agreement" relating to the Warm Springs Extension Project.

The Comprehensive Agreement discusses roles and responsibilities, time lines, construction standards for City facilities impacted by the project, and cost reimbursement for City costs for various elements of the work. It also provides for certain approvals and cost sharing items including \$88,000 as the City's share of a new fire hydrant in Central Park, and issuance of a Property Entry Agreement by the City's Real Property Manager for BART to install and maintain native vegetation along Sabercat Creek as one of its mitigation measures.

It has been the goal of the City and BART to have this Agreement in place before major construction begins. Therefore, staff is recommending that the City Council authorize the City Manager or his designee to execute a Comprehensive Agreement with BART for the Warm Springs Extension Project. Further, as amendments may be required from time to time to further define roles and responsibilities, staff is recommending the Council authorize the City Manager or designee to approve any amendments to the Comprehensive Agreement so long as the amendment does not have a negative fiscal impact on the City.

BACKGROUND: The WSX is fully funded and ready to start construction. The subway contract to construct the subway box under Central Park has been awarded and is scheduled to begin construction in September and last for over three years. The second major contract is the Line, Track, Station and Systems (LTSS) contract. This will be a design/build contract where the contractor will complete the design and construct the remainder of the project. The LTSS contract is scheduled to be advertised later this year and awarded in mid-2010. The LTSS work will continue into 2014. WSX service to the public is now anticipated to begin in late 2014.

Construction of the 5.4 mile extension from the existing Fremont Station, under Central Park, and then down to the new Station in Warm Springs, will require very close coordination between BART and the City to ensure that community impacts are kept to a minimum during construction and the City's infrastructure is returned in an appropriate state of repair when the project is completed. In addition, BART needs to establish City review times of the plans and submittals developed by its contractors to make sure there are no delays to their project as a result of City reviews. Once construction is completed and BART operations begin, the City and BART must coordinate certain aspects of its operations, such as shared maintenance items and police and fire protection.

To make sure these issues are properly identified and agreed upon in advance, City and BART staffs have prepared a "Comprehensive Agreement" relating to the Warm Springs Extension Project. The Agreement discusses roles and responsibilities, time lines, construction standards, and cost reimbursement for various elements of the work. It also provides for certain approvals and cost sharing items discussed later in this report.

Discussion: The WSX construction will have significant impacts on key portions of the City's infrastructure. Most notably, the construction of the subway through Central Park will have major impacts on the Park even though all Park operations will remain open. There will also be impacts to various City streets as BART is constructed over Walnut Avenue and under Stevenson Boulevard. The Warm Springs Station will require widening and reconstruction of portions of Warm Springs Boulevard. Other streets will be impacted by the construction traffic itself, most notably the streets where the trucks will be routed to carry dirt removed from the subway construction. In addition, the BART project will construct or reconstruct several City facilities impacted by the WSX. The Comprehensive Agreement was developed to ensure continued cooperation between BART and the City and to define the respective rights and obligations of each party in connection with construction of the BART WSX Project.

Among other things, the Comprehensive Agreement will address the work to be performed by BART; the conditions for work on City property, the applicability of current City Standards for work on or reconstruction of City facilities; and the conditions for the City's timely review of contract plans and specifications, as well as for inspection, testing and acceptance of impacted City facilities. It has been the goal of the City and BART to have this Agreement in place before major construction begins.

Among other things, the Comprehensive Agreement covers the following specific issues:

- 1) **Construction Standards:** The Agreement requires BART to ensure that all work affecting City infrastructure is performed in accordance with the applicable City standards, specifications and ordinances in effect at the time of advertisement of each contract.
- 2) **City Review of WSX Project Plans and Specifications:** The City has the right to review and approve the plans and specifications that pertain to City infrastructure impacted by the project. This includes plans prepared by the LTSS design/build contractor. The Agreement defines specific time frames for the City's reviews and approvals and provides for reimbursement of City review costs of the LTSS contract documents starting in December 2008 when the Comprehensive Agreement negotiations began.

- 3) Permits: The Agreement calls for the City to issue any and all required encroachment permits or other permits to BART or its contractors at no cost other than the City's actual costs incurred for administering the permits.
- 4) Inspection of City Infrastructure by City: The Agreement calls for the City to provide timely inspections of BART construction affecting City infrastructure in order to meet BART's construction schedule. The City will provide whatever interim and final inspections and acceptance is required according to the City-issued permits. BART will reimburse the City for its actual costs incurred for any inspections services performed.
- 5) Construction Impacts to City Infrastructure Other Than City Streets: Prior to commencing construction, BART will perform pre-construction surveys to establish the pre-construction conditions of the City's infrastructure. After each contract is complete, BART will perform a post-construction survey of the City infrastructure and will repair and/or reconstruct all City infrastructure to a condition at least equal to the pre-construction condition and in accordance with City standards, specifications and ordinances.
- 6) Construction Impacts to City Streets: For City streets that are impacted either directly by BART construction or as a result of their heavy use by WSX construction vehicles, BART will perform a pre-construction analysis to determine the Pavement Condition Index (PCI) of each street segment using the Metropolitan Transportation Commission's (MTC) Pavement Management System Users Guide. After construction has been completed, BART will again determine the PCI of each street segment and the City and BART will determine the improvements required to bring the streets back to at least the original PCI using the same MTC Guide. The costs for such work will also be mutually determined and BART will pay the City the current construction costs to have the streets repaired. The street repairs will then be included in the next pavement maintenance contracts issued by the City.
- 7) Reimbursement of City Costs: Reimbursement of City costs for performing plan reviews, inspections, attending meetings requested by BART or any other element of WSX work for which BART requests the City's participation will be based on estimates prepared by the City for such work and accepted by BART. BART will then issue a "Work Authorization" allowing the City to invoice BART for the work the City has performed.
- 8) Riparian Habitat Mitigation Site at Sabercat Creek: As part of the mitigation measures required of BART by the California Department of Fish and Game (CDFG), BART is required to compensate for the loss of riparian habitat. CDFG recommended BART use a portion of Sabercat Creek adjacent to the Becado Place neighborhood as the mitigation site. Similar to the project the City recently completed, BART's mitigation would consist of removing dead or dying elm trees and non-native shrubs and grasses in an approximately two acre area and replant the area with native trees and shrubs. BART, through their partnership with the Alameda County Resource Conservation District/Natural Resource Conservation Services (ACRDC/NCRS), will be responsible for installing the mitigation and maintaining it for ten years until it is fully established. Because this mitigation site is on City property, the Agreement calls for the City's approval of the use of this site for mitigation. BART's mitigation project would help the City improve this segment of Sabercat Creek at no cost to the

City. In early June, with City staff's assistance, BART held a neighborhood community meeting to ensure there was no opposition to BART's mitigation plan. No concerns were raised by the neighborhood; therefore, staff is recommending the Council authorize the City's Real Property Manager to issue a no-cost Property Entry Agreement to BART and ACRCD/NCRS to construct and maintain these improvements as required in BART's CDFG permit.

- 9) Impacts in Central Park: The Agreement describes the BART facilities to be located in Central Park as well as the replacement of Central Park facilities impacted by BART's construction. The replacement facilities include new parking, the new dog park, new basketball courts, and replacement landscaping. All of the improvements are the same as those previously approved by the Council in September 2007 as part of the Amendment to the Central Park Master Site Development Plan.
- 10) New Fire Hydrant by Central Park Tennis Courts: As part of its replacement parking plan in Central Park, BART is planning to add additional parking to the tennis complex parking lot. The existing tennis court parking lot and tennis shop are currently protected by a fire hydrant that is fed by the park's irrigation system. The new parking is too far away to be protected by the existing fire hydrant in accordance with Fire Department standards. BART offered to install a new hydrant adjacent to the new parking area similarly fed from the irrigation system. However, because the existing hydrant requires starting the park's irrigation pumps to obtain appropriate pressure, the Fire Department does not support this type of hydrant. Installing a new hydrant fed from the ACWD water line in Stevenson Boulevard is estimated to cost \$176,000. To avoid this cost, BART could simply remove the additional parking when they replace the parking near the baseball fields after construction. However, knowing the City wants to keep this additional parking, they have agreed to pay half the cost of the new fire hydrant. The new hydrant would actually provide a higher level of fire protection than exists today because it would not require starting the park's irrigation pumps to be useful. Therefore, staff is recommending that the Council appropriate \$88,000 from unallocated Fund 533 Park Facilities Impact Fees to PWC 8147 (the BART Warm Springs Extension) for the City's share of the cost of the installation of this new fire hydrant.
- 11) Architectural Design of Warm Springs BART Station: The Agreement states that the City will have the opportunity to review and comment on the architectural treatments, including colors, materials and plant materials in the Warm Springs BART Station area and ancillary BART buildings within the City. BART will present the proposed architectural treatments at a Fremont City Council meeting for Council input.
- 12) Coordination with City Police and Fire Departments: The Agreement spells out in general terms the responsibilities and coordination between BART and the City with regard to Police and Fire Department operations during BART construction and operation. It requires BART's contractors to provide emergency response plans for events that could occur during construction and a training plan for applicable employees and emergency responders. The Agreement also calls for BART to provide \$134,900 to the City's Fire Department to acquire specific emergency response equipment that could be needed in a BART emergency as previously identified by the Fire Department.

- 13) Promoting Transit Oriented Development: The Agreement states that BART and the City will continue to work closely and cooperatively to plan for and actively promote high-density transit oriented development in and around all BART stations in Fremont.
- 14) Public Outreach: The Agreement describes BART's public outreach efforts including its community relations staff, signage, website and telephone access as well as BART's complaint handling procedures. BART is in the process of setting up a public outreach trailer in Central Park that will be staffed by BART public outreach staff during normal business hours throughout the project's duration.
- 15) Miscellaneous: In addition to the above items, and as further described in the Enclosed Draft Agreement, the Agreement covers other topics, such as landscaping; future coordination of the Irvington Station design; work hours; site security; use of the old UPRR corridor for access to BART's northern ventilation structure; allowing the City to use any excess right-of-way to construct a future bike path adjacent to the BART alignment between Washington Boulevard and Auto Mall Parkway; maintenance responsibilities of a shared retaining wall north of Washington Boulevard; and dispute resolution, indemnification, warranties, insurance, etc.

During the construction of the Warm Springs Extension, it may be necessary, from time to time, to modify the Comprehensive Agreement to define additional aspects of the relationship between BART and the City that are not fully covered in the current Agreement. Therefore, staff is requesting that the Council authorize the City Manager or his designee to approve future amendments to this Agreement, if needed, so long as the amendment does not have a negative fiscal impact upon the City.

BART will soon begin major construction activities on the Warm Springs Extension. It is imperative to get the Comprehensive Agreement executed as quickly as possible to establish the relationship between BART and the City during construction of the project and provide for reimbursement of the City's associated costs. Therefore, staff is recommending the Council authorize the City Manager or his designee to approve the Comprehensive Agreement between BART and the City relating to the Warm Springs Extension Project.

ENCLOSURE: [Draft Comprehensive Agreement](#)

RECOMMENDATION: Staff recommends the Council:

1. Authorize the City Manager or his designee to execute a Comprehensive Agreement with the San Francisco Bay Area Rapid Transit District relating to the Warm Springs BART Extension Project as described herein; and approve amendments to the Agreement, if required, provided the amendments do not have a negative fiscal impact upon the City;
2. Authorize the City's Real Property Manager to issue a no-cost Property Entry Agreement to BART and the Alameda County Resource Conservation District/Natural Resource Conservation Services (ACRCD/NCRS) to construct and maintain riparian habitat improvements along Sabercat Creek as described in this report and as required in BART's permit from the California Department of Fish and Game; and,
3. Appropriate \$88,000 from unallocated Fund 533 Park Facilities Impact Fees to PWC 8147 as the City's share of the new fire hydrant at the Central Park tennis courts parking lot.

5.1 APPEAL OF SITE PLAN AND ARCHITECTURAL APPROVAL FOR THE WANG RESIDENCE 2nd-STORY ADDITION – 94 MADRID PLACE
Public Hearing (Published Notice) to Consider an Appeal of a Planning Commission Finding for Site Plan and Architectural Approval of a 1,247 Square Foot Second-Story Addition to an Existing Single-Story Home in the Mission San Jose Planning Area (PLN2009-00225)

Contact Person:

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Executive Summary: On July 23, 2009, the Planning Commission made a Finding for Site Plan and Architectural Approval for a second-story addition to a single-family residence at 94 Madrid Place in the Kimber Park neighborhood. The neighbors residing behind the subject property have appealed this decision to the City Council. The neighbors are concerned with potential impacts the proposed addition could have on their privacy, and they feel the Planning Commission did not adequately address their concerns when it approved the item on July 23rd.

BACKGROUND: On September 11, 1973, the City Council approved Planned District P-73-1 (also known as the Kimber PD) allowing the development of a new residential neighborhood consisting of a mix of more than 300 one- and two-story detached single-family homes east of Mission Boulevard opposite Las Palmas Avenue known as Kimber Park. On May 13, 2004, through PD Minor Amendment P-73-1G, the City Council amended the Kimber PD regulations to require neighborhood notification of all properties within 300 feet for any additions to existing homes within the PD, and delegated approval authority for such additions to the Planning Director.

On May 4, 2009 the applicants applied for Building Permit with Site Plan and Architectural Approval for a second-story addition to their existing house. In accordance with the requirements of PD Minor Amendment P-73-1G, staff notified the property owners within 300 feet of the project site and received letters of opposition from two neighbors, the homeowners at 96 Madrid Place and the homeowners at 69 Delegado Court. The applicants eventually succeeded in addressing the concerns of the owners of 96 Madrid Place, however they were unable to address the concerns of the owners of 69 Delegado Court. For this reason the Planning Director ultimately elected to refer the matter to the Planning Commission with a recommendation for approval. On July 23, 2009, the Planning Commission heard the item and approved the project as submitted by a unanimous vote of 7-0-0-0. The neighbors at 69 Delegado Court subsequently appealed this decision to the City Council on July 31, 2009, on the grounds that they feel the Planning Commission did not adequately address their concerns over the potential loss of privacy they fear the addition will cause.

Project Description: The applicants are proposing to build a 1,247 second-story addition onto their home at 94 Madrid Place. The existing single-story home contains 1,881 square feet of living area and a 416 square foot two-car garage. The current floor plan features 3 bedrooms and 2 bathrooms, as well as

a living room, family room, formal dining room and kitchen. The proposed addition would add two new bedrooms, two new bathrooms, and an office on the second floor, with one of the existing first-floor bedrooms being converted to a new spiral staircase, thus bringing the new total number of bedrooms to four (4).

The existing wood shingle siding on the façade of the home will be removed and replaced with a combination of stucco and additional stone veneer siding to match the existing stone veneer accents around the chimney. The sides and rear of the addition will be finished with stucco siding to match the existing first floor. The new windows used in the addition will be compatible with and proportionate in size to the existing windows in the house and many will be finished with decorative wood trim framing. The roofing materials will consist of composition shingle to match the existing roofing.

Project Analysis

General Plan Compliance: The General Plan land use designation for the subject site is Low Density Residential 2-3½ Dwelling Units per Acre. This designation is intended to provide for traditional detached single-family residential development on individually owned lots. The Planned District and the design and configuration of its individual parcels were found to be in conformance with the General Plan when it was originally approved by the City Council, and the minor nature of the proposed changes being made to the subject property would not bring it out of compliance with the PD. Furthermore, staff believes that the proposed addition is consistent with the following goals and policies of the Land Use and Housing Elements of the General Plan:

- **Housing Goal H-2** - High-quality and well-designed new housing of all types throughout the city.
- **Land Use Policy 1.18** - Single-family detached homes shall be proportional to their lots.
- **Land Use Policy 1.12** - Buildings shall be designed to provide for maximum feasible visual and auditory privacy for each unit through the use of site design, open space, landscaping and appropriate building materials.

Analysis

The proposed addition complies with all of the minimum development standards of the Kimber PD (see **Zoning Compliance** section below for further discussion). The applicant has redesigned various aspects of the addition at the request of staff and the next-door neighbors at 96 Madrid Place in order to cut down on the massing of the structure and to reduce privacy impacts on the next-door neighbors. The proposal is well under the maximum limits allowed for two-story additions, including the maximum building height of 30 feet (the proposed height is 27' 9"), the maximum Floor Area Ratio of 70% (the proposed Floor Area Ratio is 55%), and the maximum second-floor to first floor ratio of 75% (the proposed ratio is 66%). As such, staff believes the proposal is of a high quality and is proportional to its lot. Furthermore, the Kimber PD does allow for second-story additions to single-story homes subject to specific height and setback limits. The proposal complies with each of these regulations as discussed below. For these reasons, staff finds that the proposal is consistent with the goals and policies of the General Plan.

Zoning Compliance: The project site is located within the Kimber PD (P-73-1). FMC Section 8-21815 requires Site Plan and Architectural Approval review under Section 8-22706 for any minor additions to existing developments within a Planned District. In addition, Planned District Minor Amendment

P-73-1G requires neighborhood notification for all additions to existing homes within the Kimber PD. Before this amendment, all additions in the PD required Planning Commission review and approval. Under Section 8-22706 the decision-making body reviews the proposed project to ascertain whether it meets certain minimum standards governing site planning and architectural design. If the project as proposed, or with addition of conditions, meets the requirements, then the decision-making body must approve the project. The standards that are most readily applicable to the proposed project are as follows:

- (1) Buildings and open spaces shall be in proportion and scale with existing structures and spaces in the surrounding area;
- (2) Building design elements shall prohibit monotonous repetition and excessive variety of forms, patterns and colors. Sculptural and visually interesting, as opposed to flat and unadorned, treatments shall be used on each façade. Design features shall be utilized to lessen the impact of two-story facades;
- (3) The location, size and treatment of window and door openings shall be compatible with the wall on which they are located; and
- (4) Windows, doors, balconies and decks shall be oriented to minimize privacy impacts on adjacent residences.

Discussion:

- (1) The Kimber PD was initially established to feature a mix of single- and two-story dwelling units, and it has always allowed second-story additions to those homes that were originally built as single-story units. Many of the original homes were built as two-story units, and a number of single-story homes have had second stories added onto them over the years. The proposed addition is similar to other two-story homes in the Kimber Park neighborhood in that it conforms to the same standards and requirements governing all two-story homes in the PD, as well as the City's Planning Policies and Regulations Relating to Second-Story Additions governing all new second-story additions citywide. The particular standards governing the Kimber PD are typical of those governing single-family residential zones containing lots of 6,000-10,000 square feet, providing for ample front, rear and side yard setbacks, and an overall building height limit capable of accommodating a standard two-story home. The addition, as proposed, would not require any variances or exceptions from the standards of the Kimber PD. The following table shows how the proposal complies with these standards:

Lot Standard	Required by PD	Proposed	Degree of Conformity
Front setback	20 min.-25 max. feet	23 feet at closest point	Exceeds by 3'
Rear setback	25 feet	26'8" at closest point	Exceeds by 1'8"
Side setbacks	15 feet total (5 feet and 10 feet)	5'7" left side and 10 feet right side	Exceeds by 7" on left and conforms on right
Building Height	30 feet	27'9"	Under by 2'3"
On-site Parking	2 garage spaces	2 garage spaces	Conforms

As can be seen from this table, the proposal either meets or exceeds the minimum requirements for a new second-story addition in the Kimber PD. As such, the proposal would be compatible in size and scale with other homes in the neighborhood, thus satisfying the proportionality standard.

- (2) The proposed façade of the house will have a significant amount of detail in the form of stone siding, decorative wood trim around the windows, and banding. It is also well articulated with varying rooflines and projecting architectural features such as a bay window on the second floor and a covered porch. The side elevations feature second-story setbacks to help cut down the mass of the structure and reduce shadowing on the adjacent properties. The rear elevation is the least adorned and articulated of the four, but this is typical of most homes and generally accepted due to the fact that it is the least visible side of the structure from the right-of-way and neighboring properties.

In addition, at staff's request the applicant made various design changes to the original proposal in order to cut down the massing and shadowing effect of the second story on the abutting properties by replacing gable ends with hips and by lowering the overall building height nearly 2 feet from 29' 6" to 27' 9". Furthermore, the addition does not span the entire width of the house, and is set back more than 10 feet from the outer wall of the first floor on the side of the house closest to the appellant's house (see Rear Side Elevation drawing on Sheet A-500 of Exhibit "A").

- (3) The plans feature a variety of window shapes and sizes with the sizes corresponding appropriately to the rooms they provide lighting and ventilation for (larger openings in bedrooms and the den and open play area, and smaller/higher openings in bathrooms). With the exception of perhaps the play area, no rooms have an excessive amount of window openings, and the different variety of shapes and sizes being proposed appear harmonious with the length of their corresponding walls.
- (4) Any new second-story addition can have a direct and unavoidable impact on the privacy of its immediate neighbors. Section 8-22706 addresses this issue by requiring that windows be oriented to minimize privacy impacts. In this case, the applicants chose to locate the larger second-story windows on the back side of the house because it would have the least amount of impact on their next-door neighbors. In staff's opinion, this is the most logical arrangement and typical of two-story homes since rear yards between adjacent properties are typically much deeper than side yards.

In summary, staff believes that the project meets the standards prescribed by Section 8-22706 of the Municipal Code.

Applicant's Grounds for Appeal: The appellant is primarily concerned with the loss of privacy that they feel will result from construction of the proposed 2nd-story addition. The appellants believe the Planning Commission did not go far enough in suggesting ways the applicants could reduce the project's impacts on the family's privacy (see Informational Item #3). In discussions between the two parties, the appellant requested that the applicants consider either relocating the larger windows on the back of the addition around to the side walls or use opaque glass in the windows to prevent clear views into their backyard. Currently, there are a number of mature trees located along the shared rear property line which provide partial screening between the two properties, but there is a gap between some of these trees which creates a clear view of the appellant's backyard and living room from the proposed second story. The appellants requested that the applicants fill this gap with a new, mature tree to provide additional screening in order to protect their privacy. In addition, the appellant suggested that once the tree grows large enough, the applicant could replace the non-transparent glass in the second-story windows with standard transparent windowpanes. The applicants have indicated to staff they are willing

to plant a tree where the appellants are suggesting, but they do not wish to relocate any windows or use any opaque glass for their window-panes.

As previously noted, the project meets the zoning code privacy standard for window location by orienting the larger windows to the back of the house where the distance to the nearest neighbor is the greatest, thus lessening the privacy impact. Although the zoning code does not restrict window size or regulate glazing for purposes of preserving the privacy of adjoining neighbors, the design review standards do require that window and door location, size and treatment be compatible with the wall on which they are located. Compliance with this compatibility standard can have the salutary effect of reducing privacy impacts. Consequently, while the appellant's concern for loss of some privacy on their property is undoubtedly real and understandable, the conditions they are requesting go beyond what the code requires and what can be imposed by condition.

Environmental Review: The project is exempt from the California Environmental Quality Act pursuant to Guideline 15301 (Minor Addition to an Existing Structure).

Public Notice and Comment: Public hearing notification is required for all appeals of decisions made by the Planning Commission. A total of 50 notices were mailed to the owners and occupants of all properties located within 300 feet of the project site on Tuesday, August 18, 2009, as well as to the applicants and appellants. A Public Hearing Notice was also sent to *The Tri-City Voice* for publishing on this same date.

ENCLOSURES:

- [Exhibit "A" - Project Plans](#)
- [Exhibit "B" - Findings and Conditions of Approval](#)
- Informational Items:
 1. [Letter of Opposition from Neighbor](#)
 2. [Aerial Photograph of Existing Conditions](#)
 3. [Appeal Letter and Accompanying Exhibits submitted by Appellant](#)
 4. [Project-specific Information](#)

RECOMMENDATION:

1. Hold public hearing;
2. Find that the project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guideline 15301 which exempts projects involving minor additions to existing structures; and
3. Deny the appeal and approve the project based on the findings and subject to the conditions of approval contained in Exhibit "B".

6.1 Report Out from Closed Session of Any Final Action

7.1 STATE BUDGET UPDATE

Status Report on the State Budget and Participation in the California Statewide Communities Development Authority Property Tax Receivable Securitization Program

Contact Person:

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Title:	Budget Manager	Director
Dept.:	Finance	Finance
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Executive Summary: The City Council adopted the FY 2009/10 Operating Budget on June 9, 2009. That budget was “provisional” in nature, in that it did not include the effects of any potential borrowing or takeaways by the State. However, as part of the strategy to address State budget uncertainties, the City Manager imposed a 60-day spending moratorium (until August 31, 2009) on most capital projects in order to preserve another source of funding in case State actions proved to be more severe than anticipated. Now that the State has adopted its budget, this report is an update to the City Council with information that is currently available regarding State budget impacts on the City of Fremont. The significant items affecting the City are the following:

- The suspension of Proposition 1A of 2002, resulting in the State’s borrowing approximately \$5.5 million of the City’s property taxes in FY 2009/10 and repaying that loan with interest by no later than June 30, 2013; and
- The taking of redevelopment agency revenues in FY 2009/10 (\$10.9 million) and FY 2010/11 (\$2.2 million), with no provision for repayment.

This latter item (taking RDA revenues) will almost certainly be litigated by the California Redevelopment Association and numerous redevelopment agencies. In the meantime, the actual payment for FY 2009/10 is not due until May 2010, and staff is in the process of reviewing the Agency’s project plans to determine if any reprioritization of currently planned projects and programs is necessary. The first item (Proposition 1A borrowing of property taxes) creates a potential cash-flow challenge for the General Fund, but this can be mitigated either by internal interfund loans (including loans from reserves) or by securitizing the amount due to the City from the State (a receivable on the City’s books) through a program offered by the California Statewide Communities Development Authority (CSCDA). This would allow the City to receive a full property tax payment in FY 2009/10 while forgoing the interest the City would receive when the borrowed property tax is repaid in FY 2012/13.

Staff is still closing the books on FY 2008/09 and preparing for the annual audit that will commence in October. Staff will return to Council in November with the results of the FY 2008/09 annual audit and the first quarter budget update for FY 2009/10. If warranted, this update will make recommendations for additional actions that might be appropriate as result of either the State budget or economic conditions.

BACKGROUND: The City Council adopted the FY 2009/10 Operating Budget on June 9, 2009. At the time of adoption, the State budget deficit continued to grow, while the State Legislature continued to debate how to resolve the budget imbalance. The City of Fremont's adopted budget was "provisional" in nature, in that it did not include proposals to address any potential borrowing or takeaways by the State. Instead, one of the key budget assumptions noted that staff would return to Council as needed in order to "respond to ... takeaways confirmed by State legislative action when the amount and timing are known." Also, as part of the strategy to address State budget uncertainties, the City Manager imposed a 60-day spending moratorium (until August 31, 2009) on most capital projects. This moratorium was implemented in order to preserve another source of funding in case State actions proved to be more severe than anticipated. Now that the State has balanced its budget, this report is an update to the City Council with the information that is currently available regarding State budget impacts on the City of Fremont.

DISCUSSION/ANALYSIS: The first significant action that affects all cities in California is the suspension of the provisions of Proposition 1A of 2002, thereby allowing the State to borrow 8% of property tax revenue from local governments. This was accomplished by the adoption of ABX4 14. Proposition 1A includes a provision that such a borrowing must be repaid, with interest, within three years. This repayment provision is contained in both the State Constitution and ABX4 15 (a companion bill to ABX4 14). It appears, based on information received so far, that this amount will be distributed proportionally among all the affected entities in Alameda County. As a result, Fremont's share is estimated to be a one-time loss of \$5.5 million in FY 2009/10, to be repaid with interest by no later than June 30, 2013. The rate of interest has not yet been determined.

The second significant action is an outright takeaway of redevelopment funds over two years. For the Fremont Redevelopment Agency, the takeaway is estimated to be \$13.1 million, with direct payments to the State of \$10.9 million in FY 2009/10 (due in May 2010), and \$2.2 million in FY 2010/11. (In addition, the State is appealing the court decision that ruled its proposed take of redevelopment funds, amounting to \$2.3 million for Fremont, in FY 2008/09 was unconstitutional.) Unlike the Proposition 1A borrowing, there is no intention (or requirement) on the part of the State to repay this money. It is the Legislature's belief that it has corrected the language in the previous redevelopment takeaway attempt in FY 2008/09 that led to that action being declared unconstitutional by the California courts. There are organized efforts to fight this latest action, including pursuit of litigation.

Finally, although the State's budget proposal originally included a takeaway of Highway Users Tax (gas tax), that proposal was not ultimately included in the approved budget. For Fremont, that would have resulted in an additional loss of revenue of approximately \$3.2 million in FY 2009/10 and \$2.4 million in FY 2010/11. Fortunately, that proposal was significantly modified in the Senate's version of the State budget, and ultimately removed in the Assembly's version. However, one outstanding item, a conflict between the Senate and the Assembly bills, is the potential deferral of gas tax payments to cities during the fiscal year, with all amounts due being paid by year-end. If that deferral were to occur, it is not anticipated to have a significant impact on the City's ability to fund operations.

Now that the State has adopted its budget for FY 2009/10, staff can provide the City Council with more detailed information and proposed strategies to address and mitigate the effects of State borrowing and takeaways.

FISCAL IMPACT: The property tax borrowing allowed under the suspension of Proposition 1A means that 8% of the City's total property tax revenue (including property tax in-lieu of VLF and triple-flip sales tax replacement revenue), amounting to an estimated \$5.5 million, will be deducted from the City's regular property tax receipts by the County Auditor-Controller in two installments, the first no later than January 15, 2010, and the second no later than May 1, 2010. This borrowing must be repaid to the City by no later than June 30, 2013. This direction for deduction and repayment is contained in companion State legislation adopted at the time Proposition 1A was suspended. Because this is a loan to the State, the City Council has some options to consider, knowing that the loan will be repaid.

One option is for the General Fund to borrow money from other City funds (including reserves) in order to alleviate any cash flow problems in the General Fund, and then repay the other funds (or reserves) when the City receives its repayment from the State. Examples of other funds from which the General Fund could borrow include the Vehicle Replacement Fund, Information Technology Fund, and/or Capital Improvement Fund. If this option is pursued, the City will receive interest on the loan at the time it is repaid. The interest rate is not yet known, but will be determined by the State Director of Finance by September 28, 2009. It must be higher than the State Pooled Money Investment Board interest rate, but no greater than 6%.

Another option is to sell the City's loan receivable ("securitization"), similar to what was done in 2005 when the State "borrowed" Vehicle License Fee (VLF) revenues from cities and counties. The California Statewide Communities Development Authority (CSCDA or California Communities), a joint powers authority between the League of California Cities and the California State Association of Counties (CSAC), has been designated by the State to administer the Proposition 1A securitization program.

Specific information about the securitization program is being developed and is not yet available. However, based on information available so far, if the City opts to sign over its receivable to CSCDA, it would receive most, if not all, of its withheld property tax revenue in FY 2009/10. The State will pay for the borrowing interest incurred and the costs of issuance required for each agency to participate. It is intended that local agencies participating will receive 100% of their respective Proposition 1A receivable, although the final results will depend on bond market conditions. The buyer of the bonds secured by the loans receivable will be entitled to collect the principal, as well as the interest due, from the State when it repays the loan.

Using either of these two options would allow the City to maintain its General Fund cash flow without interruption due to the State borrowing.

If the redevelopment takeaway ultimately is implemented, those impacts will be felt in a more concrete way, although not immediately, with no likely immediate impacts on staffing. The redevelopment takeaway would not be repaid by the State, which means that the Agency would have less funding overall to complete redevelopment projects. Staff is currently analyzing the status of various projects, some of which are nearing completion and may be able to return funding for reappropriation to other projects. It is not yet known whether there will be a need to reprioritize future project plans. Attorneys advising the California Redevelopment Association (CRA) continue to assert that redevelopment funds are protected by existing State law. As a result, the CRA intends to pursue litigation to negate this

proposed State action. In any event, no money will actually be taken from redevelopment agencies until May 2010.

With respect to FY 2008/09, staff is still awaiting final “clean-up” payments for the General Fund’s two largest revenues: property tax and sales tax. The annual audit of the City’s books for FY 2008/09 is scheduled to occur in October, and the results of that audit and its impact on the FY 2009/10 budget will be reported to Council at the first quarter budget update in November. At that time, staff will be better able to assess any additional actions that may be needed as a result of either the State budget or economic conditions.

Finally, the City applied for various sources of funding under the American Reinvestment and Recovery Act (ARRA), also known as the federal Economic Stimulus package. Unfortunately, staff has learned that the City will not receive any of the new COPS funding that was requested for the retention and filling of five police officer positions. An overall status report on stimulus funding will be presented to the City Council in October.

ENCLOSURE: None

RECOMMENDATION:

1. Receive status report.
2. Direct staff to analyze information about the CSCDA property tax receivable securitization program as it becomes available and proceed with participation in the program, should such participation be deemed to be beneficial to the City.

8.1 Council Referrals

8.1.1 MAYOR WASSERMAN REFERRAL: Appointments to the Youth Advisory Commission with terms expiring as follows:

Appointment:

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
Youth Advisory Commission	Alankrita Dayal (Hopkins Junior High)	12/31/2010
	Neha Pal (Mission San Jose District Rep.)	12/31/2010
	Sloka Gundala (Mission San Jose District Rep.)	12/31/2009

ENCLOSURES: [Commission Applications](#)

8.2 Oral Reports on Meetings and Events

8.2.1 City Manager and Mayor Wasserman to provide an update on efforts to keep the New United Motors Manufacturing, Inc. (NUMMI) auto plant open in Fremont.

ACRONYMS

ABAG	Association of Bay Area Governments	FUSD	Fremont Unified School District
ACCMA	Alameda County Congestion Management Agency	GIS	Geographic Information System
ACE	Altamont Commuter Express	GPA	General Plan Amendment
ACFCD	Alameda County Flood Control District	HARB	Historical Architectural Review Board
ACTA	Alameda County Transportation Authority	HBA	Home Builders Association
ACTIA	Alameda County Transportation Improvement Authority	HRC	Human Relations Commission
ACWD	Alameda County Water District	ICMA	International City/County Management Association
BAAQMD	Bay Area Air Quality Management District	JPA	Joint Powers Authority
BART	Bay Area Rapid Transit District	LLMD	Lighting and Landscaping Maintenance District
BCDC	Bay Conservation & Development Commission	LOCC	League of California Cities
BMPs	Best Management Practices	LOS	Level of Service
BMR	Below Market Rate	MOU	Memorandum of Understanding
CALPERS	California Public Employees' Retirement System	MTC	Metropolitan Transportation Commission
CBD	Central Business District	NEPA	National Environmental Policy Act
CDD	Community Development Department	NLC	National League of Cities
CC & R's	Covenants, Conditions & Restrictions	NPDES	National Pollutant Discharge Elimination System
CDBG	Community Development Block Grant	NPO	Neighborhood Preservation Ordinance
CEQA	California Environmental Quality Act	PC	Planning Commission
CERT	Community Emergency Response Team	PD	Planned District
CIP	Capital Improvement Program	PUC	Public Utilities Commission
CMA	Congestion Management Agency	PVAW	Private Vehicle Accessway
CNG	Compressed Natural Gas	PWC	Public Works Contract
COF	City of Fremont	RDA	Redevelopment Agency
COPPS	Community Oriented Policing and Public Safety	RFP	Request for Proposals
CSAC	California State Association of Counties	RFQ	Request for Qualifications
CTC	California Transportation Commission	RHNA	Regional Housing Needs Allocation
dB	Decibel	ROP	Regional Occupational Program
DEIR	Draft Environmental Impact Report	RRIDRO	Residential Rent Increase Dispute Resolution Ordinance
DO	Development Organization	RWQCB	Regional Water Quality Control Board
DU/AC	Dwelling Units per Acre	SACNET	Southern Alameda County Narcotics Enforcement Task Force
EBRPD	East Bay Regional Park District	SPAA	Site Plan and Architectural Approval
EDAC	Economic Development Advisory Commission (City)	STIP	State Transportation Improvement Program
EIR	Environmental Impact Report (CEQA)	TCRDF	Tri-Cities Recycling and Disposal Facility
EIS	Environmental Impact Statement (NEPA)	T&O	Transportation and Operations Department
ERAF	Education Revenue Augmentation Fund	TOD	Transit Oriented Development
EVAW	Emergency Vehicle Accessway	TS/MRF	Transfer Station/Materials Recovery Facility
FAR	Floor Area Ratio	UBC	Uniform Building Code
FEMA	Federal Emergency Management Agency	USD	Union Sanitary District
FFD	Fremont Fire Department	VTa	Santa Clara Valley Transportation Authority
FMC	Fremont Municipal Code	WMA	Waste Management Authority
FPD	Fremont Police Department	ZTA	Zoning Text Amendment
FRC	Family Resource Center		

**UPCOMING MEETING AND CHANNEL 27
BROADCAST SCHEDULE**

<i>Date</i>	<i>Time</i>	<i>Meeting Type</i>	<i>Location</i>	<i>Cable Channel 27</i>
September 8, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
September 15, 2009	TBD	Work Session	Council Chambers	Live
September 22, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
September 29, 2009 (5 th Tuesday)		No Council Meeting		
October 5, 2009 (Monday)	4:00 p.m.	Joint City Council/FUSD Mtg.	Council Chambers	Live
October 6, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
October 13, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
October 20, 2009	TBD	Work Session	Council Chambers	Live
October 27, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
November 3, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
November 10, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
November 17, 2009	TBD	Work Session	Council Chambers	Live
November 24, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
December 1, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
December 8, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
December 15, 2009	TBD	Work Session	Council Chambers	Live
December 16, 2009 – January 4, 2010		Council Recess		